

EXECUTIVE SUMMARY - ENFORCEMENT MATTER Page 1 of 3
DOCKET NO.: 2007-0699-AIR-E **TCEQ ID:** RN100219815 **CASE NO.:** 33289
RESPONDENT NAME: Eastman Chemical Company

ORDER TYPE:		
<input checked="" type="checkbox"/> 1660 AGREED ORDER	<input type="checkbox"/> FINDINGS AGREED ORDER	<input type="checkbox"/> FINDINGS ORDER FOLLOWING SOAH HEARING
<input type="checkbox"/> FINDINGS DEFAULT ORDER	<input type="checkbox"/> SHUTDOWN ORDER	<input type="checkbox"/> IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
<input type="checkbox"/> AMENDED ORDER	<input type="checkbox"/> EMERGENCY ORDER	
CASE TYPE:		
<input checked="" type="checkbox"/> AIR	<input type="checkbox"/> MULTI-MEDIA (check all that apply)	<input type="checkbox"/> INDUSTRIAL AND HAZARDOUS WASTE
<input type="checkbox"/> PUBLIC WATER SUPPLY	<input type="checkbox"/> PETROLEUM STORAGE TANKS	<input type="checkbox"/> OCCUPATIONAL CERTIFICATION
<input type="checkbox"/> WATER QUALITY	<input type="checkbox"/> SEWAGE SLUDGE	<input type="checkbox"/> UNDERGROUND INJECTION CONTROL
<input type="checkbox"/> MUNICIPAL SOLID WASTE	<input type="checkbox"/> RADIOACTIVE WASTE	<input type="checkbox"/> DRY CLEANER REGISTRATION
<p>SITE WHERE VIOLATION(S) OCCURRED: Eastman Chemical Company Texas Operations, 300 Kodak Boulevard, Longview, Harrison County</p> <p>TYPE OF OPERATION: Chemical manufacturing</p> <p>SMALL BUSINESS: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>OTHER SIGNIFICANT MATTERS: There are no complaints. There is no record of additional pending enforcement actions regarding this facility location.</p> <p>INTERESTED PARTIES: No one other than the ED and the Respondent has expressed an interest in this matter.</p> <p>COMMENTS RECEIVED: The <i>Texas Register</i> comment period expired on September 17, 2007. No comments were received.</p> <p>CONTACTS AND MAILING LIST: TCEQ Attorney/SEP Coordinator: None TCEQ Enforcement Coordinator: Mr. Daniel Siringi, Enforcement Division, Enforcement Team 5, MC R-10, (409) 899-8799; Mr. David Van Soest, Enforcement Division, MC 219, (512) 239-0468 Respondent: Ms. Stancy Simpson, Manager, Environmental Affairs, Eastman Chemical Company, P.O. Box 7444, Longview, Texas 75607 Mr. James Ray, Vice President & General Manager, Eastman Chemical Company, P.O. Box 7444, Longview, Texas 75607 Respondent's Attorney: Not represented by counsel on this enforcement matter</p>		

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>Type of Investigation: <input type="checkbox"/> Complaint <input type="checkbox"/> Routine <input type="checkbox"/> Enforcement Follow-up <input checked="" type="checkbox"/> Records Review</p> <p>Date(s) of Complaints Relating to this Case: None</p> <p>Date of Investigation Relating to this Case: April 10, 2007</p> <p>Date of NOV/NOE Relating to this Case: April 13, 2007 (NOE)</p> <p>Background Facts: This was a routine record review. Four violations were documented.</p> <p>AIR</p> <p>1) Failed to comply with the volatile organic compound ("VOC") maximum allowable emission rate of 0.22 pounds per hour ("lbs/hr") for the vacuum system condenser outlet Emission Point Number ("EPN") 025E108. Specifically, samples taken on December 1, 2005 and February 28, 2006 indicated an hourly VOC rate of 0.91 lbs/hr and 0.23 lbs/hr, respectively [30 TEX. ADMIN. CODE § 116.115(b)(2)(G) and (c), 122.143(4), Fed, Special Terms and Conditions 6A, Air Permit No.18104, Special Condition 1, and TEXAS HEALTH & SAFETY CODE § 382.085(b)].</p> <p>2) Failed to equip 2 open-ended lines and valves with a cap, blind flange, plug, or second valve. Specifically, on February 6, 2006, two plugs were found missing and were replaced [30 TEX. ADMIN. CODE §§ 116.115(c), 122.143(4), FOP No. O-01978, Special Terms and Conditions 6A, Air Permit No. 20567, Special Condition 6E and TEXAS HEALTH & SAFETY CODE § 382.085(b)].</p> <p>3) Failed to perform quarterly visible emissions observations on a natural gas-fired heater (EPN 028H1) from November 1, 2004 through June 30, 2006. Specifically, observations for visible emissions were not performed on EPN</p>	<p>Total Assessed: \$31,964</p> <p>Total Deferred: \$6,392 <input checked="" type="checkbox"/> Expedited Settlement <input type="checkbox"/> Financial Inability to Pay</p> <p>SEP Conditional Offset: \$0</p> <p>Total Paid to General Revenue: \$25,572</p> <p>Site Compliance History Classification <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Person Compliance History Classification <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Major Source: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Applicable Penalty Policy: September 2002</p>	<p>Corrective Actions Taken:</p> <p>The Executive Director recognizes that Eastman has implemented the following corrective measures at the Plant:</p> <p>a. On May 15, 2006, conducted sampling which documented that the vacuum system condenser outlet (EPN 025E108) was compliant with the permitted allowable VOC emission rate. Additionally, Eastman documented in a letter dated April 30, 2007, that a process had been instituted to require re-sampling and investigation of process operating conditions if future samples indicate rates above the permitted limit;</p> <p>b. On February 6, 2006, capped the two open-ended lines that were discovered the same day. On April 30, 2007, Eastman submitted documentation that enhanced operations and maintenance procedures were in place for open ended lines;</p> <p>c. On April 30, 2007, submitted documentation that a process information tag has been set up in the data historian to ensure observation of the heater stack for visible emissions during daily operator routes; and</p> <p>d. Reported the deviation for failure to conduct quarterly observations between November 1, 2004 through October 31, 2005 in the deviation report immediately subsequent to discovery of the deviation, which was received by the TCEQ on September 1, 2006.</p>

028H1 during the fourth quarter in 2004, all four quarters in 2005 and the first and second quarters in 2006 [30 TEX. ADMIN. CODE § 122.143(4), FOP No. O-01978, Special Terms and Conditions 3A(iv)(1), and TEXAS HEALTH & SAFETY CODE § 382.085(b)].

4) Failed to report deviations on the semi-annual deviation report for the period ending October 31, 2005. Specifically, Eastman failed to report the quarterly observations deviations that were not conducted between November 1, 2004 through October 31, 2005 in a deviation report submitted for that semi-annual period [30 TEX. ADMIN. CODE §§ 122.143(4), 122.145(2)(A), FOP No. O-01978, General Condition, and TEXAS HEALTH & SAFETY CODE § 382.085(b)].



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision March 19, 2007

TCEQ

DATES

Assigned

16-Apr-2007

PCW

15-May-2007

Screening

21-Apr-2007

EPA Due

22-Jan-2008

RESPONDENT/FACILITY INFORMATION

Respondent Eastman Chemical Company

Reg. Ent. Ref. No. RN100219815

Facility/Site Region 5-Tyler

Major/Minor Source Major

CASE INFORMATION

Enf./Case ID No. 33289

Docket No. 2007-0699-AIR-E

Media Program(s) Air

Multi-Media

Admin. Penalty \$ Limit Minimum \$0 Maximum \$10,000

No. of Violations 4

Order Type 1660

Enf. Coordinator Daniel Siringi

EC's Team EnforcementTeam 6

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)

Subtotal 1 \$13,100

ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

Compliance History

154% Enhancement

Subtotals 2, 3, & 7

\$20,174

Notes

Enhancement for twenty-six (26) NOVs with same or similar violations and fourteen (12) NOVs without same or similar violations, including ten (10) self-reported effluent violations in the past five years at this plant.

Culpability

No

0% Enhancement

Subtotal 4

\$0

Notes

The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply

10% Reduction

Subtotal 5

\$1,310

Before NOV

NOV to EDPRP/Settlement Offer

Extraordinary

Ordinary

N/A

X

(mark with x)

Notes

All corrective actions were completed as of April 30, 2007.

0% Enhancement*

Subtotal 6

\$0

Total EB Amounts \$259

Approx. Cost of Compliance \$3,800

*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7

Final Subtotal

\$31,964

OTHER FACTORS AS JUSTICE MAY REQUIRE

Adjustment

\$0

Reduces or enhances the Final Subtotal by the indicated percentage. (Enter number only; e.g. -30 for -30%.)

Notes

Final Penalty Amount

\$31,964

STATUTORY LIMIT ADJUSTMENT

Final Assessed Penalty

\$31,964

DEFERRAL

20%

Reduction

Adjustment

-\$6,392

Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes

Deferral offered for expedited settlement.

PAYABLE PENALTY

\$25,572

Screening Date 21-Apr-2007

Docket No. 2007-0699-AIR-E

PCW

Respondent Eastman Chemical Company

Policy Revision 2 (September 2002)

Case ID No. 33289

PCW Revision March 19, 2007

Reg. Ent. Reference No. RN100219815

Media [Statute] Air

Enf. Coordinator Daniel Siringi

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	26	130%
	Other written NOVs	12	24%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgments or consent decrees meeting criteria)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%
Please Enter Yes or No			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 154%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance
History
Notes

Enhancement for twenty-six (26) NOVs with same or similar violations and fourteen (12) NOVs without same or similar violations, including ten (10) self-reported effluent violations in the past five years at this plant.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 154%

Screening Date 21-Apr-2007

Docket No. 2007-0699-AIR-E

PCW

Respondent Eastman Chemical Company

Policy Revision 2 (September 2002)

Case ID No. 33289

PCW Revision March 19, 2007

Reg. Ent. Reference No. RN100219815

Media [Statute] Air

Enf. Coordinator Daniel Siringi

Violation Number 1

Rule Cite(s)

30 Tex. Admin. Code §§ 116.115(b)(2)(G) and (c), 122.143(4), Federal Operating Permit ("FOP") No. O-01978, Special Terms and Condition 6A, Air Permit No.18104, Special Condition 1 and Texas Health & Safety Code § 382.085(b)

Violation Description

Failed to comply with the Volatile Organic Compound ("VOC") maximum allowable emission rate of 0.22 pounds per hour ("lbs/hr") for the vacuum system condenser outlet Emission Point Number ("EPN") 025E108. Specifically, samples taken on December 1, 2005 and February 28, 2006 indicated an hourly VOC rate of 0.91 lbs/hr and 0.23 lbs/hr, respectively. Testing conducted on May 15, 2006 indicated a compliant rate of 0.12 lbs/hr.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			X
Potential			

Percent 25%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes

Human health or the environment has been exposed to insignificant amounts of pollutants which do not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$7,500

\$2,500

Violation Events

Number of Violation Events 2

165 Number of violation days

mark only one
with an x

daily	
monthly	
quarterly	X
semiannual	
annual	
single event	

Violation Base Penalty \$5,000

Two quarterly events are recommended from December 1, 2005 to May 15, 2006.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$9

Violation Final Penalty Total \$12,200

This violation Final Assessed Penalty (adjusted for limits) \$12,200

Economic Benefit Worksheet

Respondent: Eastman Chemical Company
Case ID No.: 33289
Reg. Ent. Reference No.: RN100219815
Media: Air
Violation No.: 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling	\$400	1-Dec-2005	15-May-2006	0.5	\$9	n/a	\$9
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost of implementing a process to require resampling and investigation when samples indicate rates above the permitted limit. Date required is date of first non-compliant sample. Final date is date of compliance.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance \$400

TOTAL \$9

Screening Date 21-Apr-2007

Docket No. 2007-0699-AIR-E

PCW

Respondent Eastman Chemical Company

Policy Revision 2 (September 2002)

Case ID No. 33289

PCW Revision March 19, 2007

Reg. Ent. Reference No. RN100219815

Media [Statute] Air

Enf. Coordinator Daniel Siringi

Violation Number 2

Rule Cite(s) 30 Tex. Admin. Code §§ 116.115(c), 122.143(4), FOP No. O-01978, Special Terms and Condition 6A, Air Permit No.20567, Special Condition 6E and Texas Health & Safety Code § 382.085(b)

Violation Description

Failed to equip 2 open-ended lines and valves with a cap, blind flange, plug, or second valve. Specifically, on February 6, 2006, two plugs were found missing and were replaced.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			x

Percent 10%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes

Human health or the environment will or could be exposed to insignificant amounts of pollutants which would not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$9,000

\$1,000

Violation Events

Number of Violation Events 1

1 Number of violation days

mark only one
with an x

daily	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$1,000

One single event is recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$31

Violation Final Penalty Total \$2,440

This violation Final Assessed Penalty (adjusted for limits) \$2,440

Economic Benefit Worksheet

Respondent Eastman Chemical Company
Case ID No. 33289
Reg. Ent. Reference No. RN100219815
Media Air
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost <small>No commas or \$</small>	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)	\$500	6-Feb-2006	30-Apr-2007	1.2	\$31	n/a	\$31

Notes for DELAYED costs

Estimated cost ensuring that operating and maintenance procedures in place are followed by operators. Date required is the date open-ended lines were discovered and plugged and final date is the date Eastman submitted documentation of proper procedures in place.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$500

TOTAL

\$31

Screening Date 21-Apr-2007

Docket No. 2007-0699-AIR-E

PCW

Respondent Eastman Chemical Company

Policy Revision 2 (September 2002)

Case ID No. 33289

PCW Revision March 19, 2007

Reg. Ent. Reference No. RN100219815

Media [Statute] Air

Enf. Coordinator Daniel Siringi

Violation Number 3

Rule Cite(s)

30 Tex. Admin. Code § 122.143(4), FOP No. O-01978, Special Terms and Conditions 3A(iv)(1) and Texas Health & Safety Code § 382.085(b)

Violation Description

Failed to perform quarterly visible emissions observations on a natural gas-fired heater (EPN 028H1) from November 1, 2004 through June 30, 2006. Specifically, observations for visible emissions were not performed on EPN 028H1 during the fourth quarter in 2004, all four quarters in 2005 and the first and second quarters in 2006.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			x

Percent 10%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes

Human health or the environment will or could be exposed to insignificant amounts of pollutants which would not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$9,000

\$1,000

Violation Events

Number of Violation Events 7

7 Number of violation days

mark only one with an x	daily	
	monthly	
	quarterly	
	semiannual	
	annual	
	single event	x

Violation Base Penalty \$7,000

Seven single events are recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$163

Violation Final Penalty Total \$17,080

This violation Final Assessed Penalty (adjusted for limits) \$17,080

Economic Benefit Worksheet

Respondent Eastman Chemical Company
Case ID No. 33289
Reg. Ent. Reference No. RN100219815
Media Air
Violation No. 3

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)	\$1,400	31-Dec-2004	30-Apr-2007	2.3	\$163	n/a	\$163

Notes for DELAYED costs

Estimated cost of implementing procedures to ensure quarterly visible emissions observations on EPN 028H1. Date required is the first date that observation was not conducted and final date is the date Eastman submitted documentation that a process information tag has been set up in the Eastman data historian to ensure observation of the heater stack for visible emissions during daily operator routes.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$1,400

TOTAL

\$163

Screening Date 21-Apr-2007

Docket No. 2007-0699-AIR-E

PCW

Respondent Eastman Chemical Company

Policy Revision 2 (September 2002)

Case ID No. 33289

PCW Revision March 19, 2007

Reg. Ent. Reference No. RN100219815

Media [Statute] Air

Enf. Coordinator Daniel Siringi

Violation Number 4

Rule Cite(s)

30 Tex. Admin. Code §§ 122.143(4), 122.145(2)(A), FOP No. O-01978, General Conditions and Texas Health & Safety Code § 382.085(b)

Violation Description

Failed to report deviations on the semi-annual deviation report for the period ending October 31, 2005. Specifically, Eastman failed to report the quarterly observations deviations that were not conducted between November 1, 2004 through October 31, 2005 in a deviation report submitted for that semi-annual period.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor
			x

Percent 1%

Matrix Notes

At least 70% of the rule requirement was met.

Adjustment \$9,900

\$100

Violation Events

Number of Violation Events 1

1

Number of violation days

mark only one
with an x

daily	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$100

One single event is recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$56

Violation Final Penalty Total \$244

This violation Final Assessed Penalty (adjusted for limits) \$244

Economic Benefit Worksheet

Respondent Eastman Chemical Company
Case ID No. 33289
Reg. Ent. Reference No. RN100219815
Media Air
Violation No. 4

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)	\$1,500	1-Dec-2005	1-Sep-2006	0.8	\$56	n/a	\$56

Notes for DELAYED costs

Estimated cost of properly reporting deviations. Date required is the date the deviations should have been reported and final date of investigation and the final date is the date the deviations were reported.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$1,500

TOTAL

\$56

Compliance History

Customer/Respondent/Owner-Operator:	CN601214406	Eastman Chemical Company	Classification: AVERAGE	Rating: 1.95
Regulated Entity:	RN100219815	EASTMAN CHEMICAL COMPANY TEXAS OPERATIONS	Classification: AVERAGE	Site Rating: 0.97

ID Number(s):	AIR OPERATING PERMITS	ACCOUNT NUMBER	HH0042M
	AIR OPERATING PERMITS	PERMIT	1436
	AIR OPERATING PERMITS	PERMIT	1967
	AIR OPERATING PERMITS	PERMIT	1968
	AIR OPERATING PERMITS	PERMIT	1969
	AIR OPERATING PERMITS	PERMIT	1970
	AIR OPERATING PERMITS	PERMIT	1971
	AIR OPERATING PERMITS	PERMIT	1972
	AIR OPERATING PERMITS	PERMIT	1973
	AIR OPERATING PERMITS	PERMIT	1974
	AIR OPERATING PERMITS	PERMIT	1975
	AIR OPERATING PERMITS	PERMIT	1976
	AIR OPERATING PERMITS	PERMIT	1977
	AIR OPERATING PERMITS	PERMIT	1978
	AIR OPERATING PERMITS	PERMIT	1979
	AIR OPERATING PERMITS	PERMIT	1981
	AIR OPERATING PERMITS	PERMIT	1982
	AIR OPERATING PERMITS	PERMIT	1983
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	AIR NEW SOURCE PERMITS	PERMIT	681
	AIR NEW SOURCE PERMITS	PERMIT	908
	AIR NEW SOURCE PERMITS	PERMIT	1105
	AIR NEW SOURCE PERMITS	PERMIT	1143
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	AIR NEW SOURCE PERMITS	PERMIT	9309
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AIR NEW SOURCE PERMITS	PERMIT	48590
AIR NEW SOURCE PERMITS	PERMIT	48591
AIR NEW SOURCE PERMITS	PERMIT	48592
AIR NEW SOURCE PERMITS	PERMIT	48615
AIR NEW SOURCE PERMITS	PERMIT	48617
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AIR NEW SOURCE PERMITS	PERMIT	49363

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AIR NEW SOURCE PERMITS	PERMIT	49989
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AIR NEW SOURCE PERMITS	REGISTRATION	78585
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AIR NEW SOURCE PERMITS	REGISTRATION	72214
AIR NEW SOURCE PERMITS	REGISTRATION	72090
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AIR NEW SOURCE PERMITS	PERMIT	55267
AIR NEW SOURCE PERMITS	REGISTRATION	55550
AIR NEW SOURCE PERMITS	PERMIT	75233
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AIR NEW SOURCE PERMITS	REGISTRATION	75913
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AIR NEW SOURCE PERMITS	REGISTRATION	76352
AIR NEW SOURCE PERMITS	REGISTRATION	75700
AIR NEW SOURCE PERMITS	PERMIT	75701
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AIR NEW SOURCE PERMITS	REGISTRATION	75584
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AIR NEW SOURCE PERMITS	REGISTRATION	75718
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AIR NEW SOURCE PERMITS	PERMIT	48761
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AIR NEW SOURCE PERMITS	PERMIT	52985
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AIR NEW SOURCE PERMITS	REGISTRATION	71384

REGISTRATION
REGISTRATION
REGISTRATION

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PERMIT	72210
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PERMIT	55338
PERMIT	50421
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PERMIT	56330
PERMIT	53918
PERMIT	53998
PERMIT	53967
PERMIT	55182
PERMIT	50574
PERMIT	54232
PERMIT	53997
PERMIT	54495
PERMIT	56239
PERMIT	56223
PERMIT	50871
PERMIT	52440
PERMIT	71373
PERMIT	71168
PERMIT	70851
PERMIT	56022
PERMIT	50614
PERMIT	50819
PERMIT	50645
PERMIT	54111
PERMIT	50649
PERMIT	54325
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PERMIT	53265
PERMIT	51365
PERMIT	53856
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REGISTRATION	72549
REGISTRATION	72523
REGISTRATION	72608
REGISTRATION	72607
ACCOUNT NUMBER	HH004
REGISTRATION	72622

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AIR NEW SOURCE PERMITS	REGISTRATION	77496
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AIR NEW SOURCE PERMITS	REGISTRATION	78880
AIR NEW SOURCE PERMITS	REGISTRATION	78938
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AIR NEW SOURCE PERMITS	REGISTRATION	79837

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AIR NEW SOURCE PERMITS	REGISTRATION	79942
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AIR NEW SOURCE PERMITS	REGISTRATION	80317
AIR NEW SOURCE PERMITS	REGISTRATION	80208
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AIR NEW SOURCE PERMITS	REGISTRATION	81007
AIR NEW SOURCE PERMITS	REGISTRATION	81525
WASTEWATER	PERMIT	WQ0000471000
WASTEWATER	PERMIT	TPDES0000949
INDUSTRIAL AND HAZARDOUS WASTE DISPOSAL	EPA ID	TXD007330202
INDUSTRIAL AND HAZARDOUS WASTE DISPOSAL	SOLID WASTE REGISTRATION # (SWR)	30137
WASTEWATER LICENSING	LICENSE	WQ0000471000
STORMWATER	PERMIT	TXR05M879
PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	1020092
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30137
INDUSTRIAL AND HAZARDOUS WASTE COMPLIANCE PLANS	PERMIT	50043
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD007330202
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	30137
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50043
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50043
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50043
USED OIL	REGISTRATION	A85413

Location: 300 KODAK BLVD, LONGVIEW, TX Rating Date: 9/1/2006 Repeat Violator: NO

TCEQ Region: REGION 05 - TYLER

Date Compliance History Prepared: April 26, 2007

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: April 26, 2002 to April 26, 2007

TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History

Name: Daniel Siringi Phone: (409) 899-8799

Site Compliance History Components

- Has the site been in existence and/or operation for the full five year compliance period? Yes
- Has there been a (known) change in ownership of the site during the compliance period? No
- If Yes, who is the current owner? N/A
- If Yes, who was/were the prior owner(s)? N/A
- When did the change(s) in ownership occur? N/A

Components (Multimedia) for the Site :

- Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government.

N/A

B. Any criminal convictions of the state of Texas and the federal government.

N/A

C. Chronic excessive emissions events.

N/A

D. The approval dates of investigations. (CCEDS Inv. Track. No.)

1	04/29/2002	(153765)
2	05/07/2002	(82756)
3	05/07/2002	(82755)
4	05/28/2002	(153769)
5	06/03/2002	(82757)
6	06/24/2002	(153773)
7	07/23/2002	(153777)
8	08/23/2002	(153781)
9	08/23/2002	(153782)
10	08/28/2002	(9186)
11	08/30/2002	(9169)
12	08/30/2002	(9121)
13	08/30/2002	(7499)
14	08/30/2002	(9134)
15	09/23/2002	(153785)
16	10/21/2002	(153788)
17	11/19/2002	(14466)
18	11/25/2002	(153792)
19	12/06/2002	(16366)
20	12/30/2002	(153796)
21	01/24/2003	(153800)
22	02/24/2003	(153758)
23	03/12/2003	(23773)
24	03/12/2003	(23831)
25	03/12/2003	(24524)
26	03/12/2003	(24677)
27	03/12/2003	(24100)
28	03/12/2003	(24554)
29	03/13/2003	(25973)
30	03/13/2003	(25944)
31	03/22/2003	(293672)
32	03/25/2003	(153761)
33	04/21/2003	(153766)
34	05/02/2003	(24169)
35	05/02/2003	(29894)
36	05/14/2003	(36483)
37	05/23/2003	(153770)
38	05/30/2003	(61647)
39	05/30/2003	(61604)
40	06/03/2003	(61798)
41	06/24/2003	(153774)
42	07/23/2003	(153778)
43	07/28/2003	(146866)
44	07/31/2003	(38151)
45	08/13/2003	(146622)
46	08/19/2003	(150726)
47	08/25/2003	(293680)
48	08/28/2003	(150648)
49	08/28/2003	(150745)
50	09/23/2003	(293682)
51	10/24/2003	(293684)
52	11/21/2003	(293685)
53	12/16/2003	(257911)

54	12/22/2003	(258006)
55	12/29/2003	(293686)
56	01/23/2004	(293688)
57	01/29/2004	(250443)
58	01/29/2004	(258924)
59	01/29/2004	(257722)
60	01/29/2004	(257791)
61	02/03/2004	(261420)
62	02/03/2004	(261617)
63	02/24/2004	(293669)
64	03/18/2004	(266121)
65	03/18/2004	(266071)
66	04/05/2004	(267733)
67	04/23/2004	(293673)
68	05/25/2004	(293675)

69	06/17/2004	(275984)
70	06/22/2004	(293677)
71	07/01/2004	(277715)
72	07/26/2004	(332755)
73	07/26/2004	(351418)
74	08/24/2004	(351419)
75	09/23/2004	(351420)
76	10/19/2004	(351421)
77	10/28/2004	(293068)
78	11/23/2004	(351422)
79	12/07/2004	(341048)
80	12/20/2004	(381484)
81	12/20/2004	(344802)
82	01/03/2005	(345829)
83	01/03/2005	(345817)
84	01/03/2005	(345910)
85	01/03/2005	(345805)
86	01/31/2005	(381485)
87	02/22/2005	(381482)
88	03/11/2005	(373876)
89	03/11/2005	(373995)
90	03/17/2005	(373696)
91	03/17/2005	(373783)
92	03/17/2005	(373560)
93	03/21/2005	(381483)
94	03/22/2005	(374488)
95	03/22/2005	(17025)
96	04/19/2005	(377228)
97	04/20/2005	(377304)
98	04/20/2005	(378314)
99	04/20/2005	(377429)
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101	05/23/2005	(440482)
102	06/24/2005	(440483)
103	06/30/2005	(379775)
104	07/05/2005	(393234)
105	07/13/2005	(399882)
106	07/13/2005	(399771)
107	07/22/2005	(440484)
108	07/22/2005	(395173)
109	07/25/2005	(401376)
110	07/25/2005	(400970)
111	07/25/2005	(401412)
112	07/25/2005	(399922)
113	07/25/2005	(401361)
114	07/25/2005	(401537)
115	07/29/2005	(395158)
116	08/11/2005	(402307)
117	08/22/2005	(405030)

118	08/22/2005	(440485)
119	08/22/2005	(406138)
120	08/22/2005	(405683)
121	08/22/2005	(405448)
122	08/26/2005	(407430)
123	08/26/2005	(407396)
124	08/31/2005	(405967)
125	08/31/2005	(418706)
126	09/23/2005	(440486)
127	09/28/2005	(432883)
128	09/28/2005	(432759)
129	09/28/2005	(432012)
130	10/10/2005	(433239)
131	10/10/2005	(433286)
132	10/10/2005	(433189)
133	10/25/2005	(467776)
134	11/28/2005	(467777)
135	11/29/2005	(437568)
136	12/27/2005	(467778)

137	01/25/2006	(467779)
138	01/30/2006	(453414)
139	02/06/2006	(454518)
140	02/06/2006	(454506)
141	02/06/2006	(454558)
142	02/06/2006	(454503)
143	02/06/2006	(454563)
144	02/06/2006	(454496)
145	02/06/2006	(454560)
146	02/06/2006	(454553)
147	02/08/2006	(454581)
148	02/13/2006	(455134)
149	02/13/2006	(455099)
150	02/13/2006	(455070)
151	02/22/2006	(467772)
152	02/27/2006	(455387)
153	03/07/2006	(458253)
154	03/13/2006	(458807)
155	03/20/2006	(467773)
156	03/23/2006	(459327)
157	04/04/2006	(461183)
158	04/04/2006	(461191)
159	04/19/2006	(467774)
160	04/19/2006	(467775)
161	04/19/2006	(462369)
162	04/26/2006	(455671)
163	05/01/2006	(464398)
164	05/01/2006	(464451)
165	05/01/2006	(464369)
166	05/02/2006	(464527)
167	05/09/2006	(464557)
168	05/09/2006	(464558)
169	05/31/2006	(480290)
170	06/01/2006	(480902)
171	06/09/2006	(480874)
172	06/09/2006	(481015)
173	06/19/2006	(497800)
174	07/11/2006	(484680)
175	07/14/2006	(486416)
176	07/17/2006	(486545)
177	07/19/2006	(456505)
178	07/20/2006	(456662)
179	07/20/2006	(456664)
180	07/20/2006	(497799)
181	07/20/2006	(497801)

182	07/21/2006	(486831)
183	07/21/2006	(486838)
184	07/21/2006	(486842)
185	08/18/2006	(519842)
186	08/18/2006	(497255)
187	08/22/2006	(497545)
188	08/22/2006	(497635)
189	08/28/2006	(509675)
190	08/28/2006	(509315)
191	08/31/2006	(510752)
192	08/31/2006	(510444)
193	08/31/2006	(509748)
194	08/31/2006	(510445)
195	08/31/2006	(510674)
196	09/19/2006	(519843)
197	09/22/2006	(513659)
198	10/18/2006	(513967)
199	10/18/2006	(515895)
200	10/18/2006	(515038)
201	10/18/2006	(515798)
202	10/18/2006	(515875)
203	10/18/2006	(515827)
204	10/18/2006	(515002)

205	10/18/2006	(515910)
206	10/18/2006	(514945)
207	10/19/2006	(514234)
208	10/19/2006	(514010)
209	10/19/2006	(519844)
210	10/27/2006	(516004)
211	11/01/2006	(517231)
212	11/01/2006	(517290)
213	11/01/2006	(517576)
214	11/17/2006	(544071)
215	11/28/2006	(519470)
216	11/30/2006	(532795)
217	12/19/2006	(534736)
218	12/19/2006	(531486)
219	12/19/2006	(544072)
220	12/20/2006	(534532)
221	12/22/2006	(534753)
222	12/22/2006	(534763)
223	12/22/2006	(534773)
224	12/22/2006	(534037)
225	12/22/2006	(534851)
226	12/22/2006	(534844)
227	12/22/2006	(534829)
228	01/19/2007	(544073)
229	02/05/2007	(535399)
230	02/05/2007	(535402)
231	02/20/2007	(544070)
232	02/23/2007	(540712)
233	02/27/2007	(534864)
234	02/28/2007	(542403)
235	02/28/2007	(542397)
236	03/06/2007	(542607)
237	03/06/2007	(543030)
238	03/06/2007	(543103)
239	03/06/2007	(543040)
240	03/06/2007	(542518)
241	03/06/2007	(542633)
242	03/06/2007	(543090)
243	03/07/2007	(543184)
244	03/07/2007	(543118)
245	03/07/2007	(543169)

246 03/07/2007 (543198)
 247 03/09/2007 (543240)
 248 03/09/2007 (543239)
 249 03/09/2007 (542701)
 250 03/09/2007 (543237)
 251 03/09/2007 (543241)
 252 04/13/2007 (556590)

E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)

Date	09/30/2002	(153788)		
Self Report?	YES		Classification	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G]			
Description:	Failure to meet the limit for one or more permit parameter			
Date	11/30/2003	(293686)		
Self Report?	YES		Classification	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G]			
Description:	Failure to meet the limit for one or more permit parameter			
Date	01/05/2004	(258924)		
Self Report?	NO		Classification	Moderate
Citation:	30 TAC Chapter 101, SubChapter F 101.201(e) 5C THC Chapter 382, SubChapter A 382.085(b)			
Description:	Failure to notify the Texas Commission on Environmental Quality (TCEQ) Tyler Regional Office of a reportable emissions event within 24 hours after discovery of the event.			
Date	01/31/2004	(293669)		
Self Report?	YES		Classification	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G]			
Description:	Failure to meet the limit for one or more permit parameter			
Date	02/29/2004	(293672)		
Self Report?	YES		Classification	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G]			
Description:	Failure to meet the limit for one or more permit parameter			
Date	03/31/2004	(293673)		
Self Report?	YES		Classification	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G]			
Description:	Failure to meet the limit for one or more permit parameter			
Date	05/31/2004	(293677)		
Self Report?	YES		Classification	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G]			
Description:	Failure to meet the limit for one or more permit parameter			
Date	07/26/2004	(332755)		
Self Report?	NO		Classification	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) 30 TAC Chapter 305, SubChapter F 305.125(17)			
Description:	NON-RPT VIOS FOR MONIT PER OR PIPE			
Date	08/31/2004	(351420)		
Self Report?	YES		Classification	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G]			
Description:	Failure to meet the limit for one or more permit parameter			
Date	11/30/2004	(381484)		
Self Report?	YES		Classification	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G]			
Description:	Failure to meet the limit for one or more permit parameter			
Date	03/18/2005	(373696)		
Self Report?	NO		Classification	Moderate
Citation:	30 TAC Chapter 111, SubChapter A 111.111(a)(8)(A) 5C THC Chapter 382, SubChapter A 382.085(b)			

Description: Failure to prevent unauthorized emissions during an excess opacity event (Incident # 52751).

Date 08/19/2005 (405030)

Self Report? NO

Classification Moderate

Citation: 30 TAC Chapter 106, SubChapter K 106.262[G]
30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: OP O-01967, STC 6

Description: Failure to notify the TCEQ within 10 days of the installation or modification of the facility. The notification should have been submitted on September 20, 2004, but was not submitted until October 8, 2004. 30 TAC 106.262(a)(3) requires that the notification be submitted within 10 days.

Self Report? NO

Classification Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT DDD 60.562-2(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)

Rqmt Prov: OP O-01967, STC 1.A.

Description: Failure to equip 94 open-ended lines and valves with a cap, blind flange, plug, or second valve.

Date 08/19/2005 (405448)

Self Report? NO

Classification Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)

Rqmt Prov: PA 48591 SC 5.E

OP O-01968 STC 1.A

OP O-01968 STC 5.A

Description: Failure to equip 41 open-ended lines and valves with a cap, blind flange, plug, or second valve.

Self Report? NO

Classification Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: PA 48591 SC 5.E

OP O-01968 STC 5.A

Description: Failure to equip 1 open-ended line/valve with a cap, blind flange, plug, or second valve.

Date 08/19/2005 (405683)

Self Report? NO

Classification Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)

Rqmt Prov: PA 48655 SC 4.E

OP O-01967 STC 8.A

OP O-01972 STC 1.A

Description: Failure to equip 30 open-ended lines and valves with a cap, blind flange, plug, or second valve.

Date 08/23/2005 (406138)

Self Report? NO

Classification Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: PA 8522 SC 4

OP O-01969 STC 4

PA PSD-TX-322M3

Description: Failure to maintain the time weighted average vacuum pressure below 105 mm Hg.

Date 08/31/2005 (405967)

Self Report? NO

Classification Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Part 61, Subpart V 61.242-6(a)(1)

Rqmt Prov: OP O-01973 STC 1A

Description: Failure to equip 37 open-ended lines and valves with a cap, blind flange, plug, or second valve.

Self Report? NO

Classification Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)

	30 TAC Chapter 122, SubChapter B 122.143(4)		
	30 TAC Chapter 122, SubChapter B 122.145(2)(A)		
	40 CFR Part 61, Subpart V 61.242-1(a)		
Rqmt Prov:	OP O-01973 STC 1A		
Description:	Failure to monitor 135 components in benzene service.		
Date	09/30/2005 (467776)		
Self Report?	YES	Classification	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1)		
	TWC Chapter 26 26.121(a)[G]		
Description:	Failure to meet the limit for one or more permit parameter		
Date	11/30/2005 (467778)		
Self Report?	YES	Classification	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1)		
	TWC Chapter 26 26.121(a)[G]		
Description:	Failure to meet the limit for one or more permit parameter		
Date	02/27/2006 (455387)		
Self Report?	NO	Classification	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(2)		
	30 TAC Chapter 122, SubChapter B 122.143(4)		
	40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.349(a)(2)(i)(C)		
Rqmt Prov:	OP O-01971 ST&C 1.A.		
Description:	Failure to meet a minimum temperature of 1400 degrees Fahrenheit in the combustion chamber in the Rotary Kiln Incinerator (RKI) while burning hazardous waste. The minimum temperature was not met on the following dates: October 18, 2004 (2 minutes), November 4, 2004 (19 minutes), and December 6, 2004 (22 minutes).		
Self Report?	NO	Classification	Moderate
Citation:	30 TAC Chapter 113, SubChapter C 113.130		
	30 TAC Chapter 116, SubChapter B 116.115(c)		
	30 TAC Chapter 122, SubChapter B 122.143(4)		
	40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)		
Rqmt Prov:	PA 48626 SC 10.E		
	OP O-01971 ST&C 1.A		
	OP O-01971 ST&C 8		
Description:	Failure to equip 3 open-ended lines and valves with a cap, blind flange, plug, or second valve. Eastman reported that during the month of October 2004, 1 plug		
	was found missing and was replaced. Also, it was reported that during the month of February 2005, 2 plugs were found missing and were replaced. HON components		
Self Report?	NO	Classification	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c)		
	30 TAC Chapter 122, SubChapter B 122.143(4)		
Rqmt Prov:	PA 48626 SC 10.E		
	OP O-01971 ST&C 8		
Description:	Failure to equip 2 open-ended lines and valves with a cap, blind flange, plug, or second valve. Eastman reported that during the month of November 2004, 1 plug was found missing and was replaced. Also, it was reported that during the month of January 2005, 1 plug was found missing and was replaced. Not HON compon		
Self Report?	NO	Classification	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c)		
	30 TAC Chapter 122, SubChapter B 122.143(4)		
Rqmt Prov:	PA 681 SC 5		
	OP O-01971 ST&C 8		
Description:	Failure to maintain a minimum pH of 7.3 at the caustic scrubber liquid outlet while waste is being feed to the scrubber. On February 20, 2005, the pH dropped below 7.3 from 07:21 hours to 08:51 hours and waste was still fed to the scrubber.		
Self Report?	NO	Classification	Moderate
Citation:	30 TAC Chapter 113, SubChapter C 113.110		
	30 TAC Chapter 122, SubChapter B 122.143(4)		
	40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.104(b)(4)		
Rqmt Prov:	OP O-01971 ST&C 1.A		
Description:	Failure to sample at the entrance and exit of each heat exchange system to detect leaks on a quarterly basis. The HON Subpart F Analyses supplied indicates the cooling tower returns from Acetaldehyde Plants 1 and 2 were sampled, but the supplies were not sampled.		
Self Report?	NO	Classification	Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4)		
	30 TAC Chapter 122, SubChapter B 122.145(2)(A)		
Rqmt Prov:	OP O-01971 GT&C		

Description: Failure to report each instance of a deviation in the submitted deviation reports. Deviation Reports were submitted covering the periods of July 1, 2004 through December 31, 2004 and January 1, 2005 through June 30, 2005.

Date 04/20/2006 (462369)

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 106, SubChapter T 106.454(1)(F)
30 TAC Chapter 106, SubChapter T 106.454(3)(B)[G]
30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: OP O-01976 STC 8

Description: Failure to maintain the cover in a closed position when parts were not being handled in the degreaser. On April 9, 2005, Eastman personnel discovered the open lid, closed it and reported the deviation in the January 1, 2005 through June 30, 2005 Deviation Report.

Date 06/09/2006 (480874)

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.130
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)

Rqmt Prov: OP O-01974 STC 1A

Description: Failure to equip 11 open-ended lines and valves with a cap, blind flange, plug, or second valve.

Date 06/09/2006 (481015)

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)

Rqmt Prov: PA 21832 SC 12E
PA 27941 SC 6E
PA 6777 SC 6E
PA 9631 1E
OP O-01977 STC 1A
OP O-01977 STC 9A

Description: Failure to equip 28 open-ended lines and valves with a cap, blind flange, plug, or second valve.

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-8(c)(2)

Rqmt Prov: PA 9631 SC 2B
OP O-01977 STC 1A
OP O-01977 STC 9A

Description: Failure to make the first attempt at repair within 5 days of discovering a seal leak on pump P-135.

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: PA 6777 SC 5A
OP O-01977 STC 9A

Description: Failure to maintain a net heating value of 200 Btu/scf or greater for the gases being combusted in the mixed esters flare.

Date 08/22/2006 (497545)

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)

Rqmt Prov: OP O-01979 STC 1A

Description: Failure to equip 17 open-ended lines, valves, or flanges with a cap, blind flange, plug, or second valve. These components only have federal applicability.

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: PA 48590 SC 11E
OP O-01979 STC 6A

Description: Failure to equip 5 open-ended lines, valves, or flanges with a cap, blind flange, plug, or second valve. These components only have state applicability.

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: PA 48588 SC 111
OP O-01979 STC 6A
Description: Failure to repair a valve during a shutdown that had been placed on delay of repair.

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.560
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1033(b)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1103(e)(3)
Rqmt Prov: OP O-01979 STC 1D
Description: Failure to equip 10 open-ended lines, valves, or flanges with a cap, blind flange, plug, or second valve. These components only have federal applicability under 40 CFR 63, Subpart YY.

Date 08/22/2006 (497635)

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)
Rqmt Prov: OP O-01981 STC 1A
Description: Failure to equip 6 open-ended lines, valves, or flanges with a cap, blind flange, plug, or second valve.

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.349(a)(2)(i)(C)
Rqmt Prov: OP O-01981 STC 1A
Description: Failure to maintain the combustion chamber of the Rotary Kiln Incinerator (RKI) above the minimum temperature of 1400 degrees Fahrenheit while waste tanks were being vented to the RKI.

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.620
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1206(c)(3)(viii)
Rqmt Prov: OP O-01981 STC 1A
Description: Failure to conduct one weekly AWFCO test and failure to include % oxygen as an OPL during the weekly AWFCO test.

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.620
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1209(b)(2)(i)
Rqmt Prov: OP O-01981 STC 1A
Description: Failure to conduct annual calibrations on the Fluid Bed and Rotary Kiln Incinerators' 21 total instruments.

Date 08/25/2006 (509315)

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.110
30 TAC Chapter 113, SubChapter C 113.130
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.100(b)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
Rqmt Prov: OP O-01982 STC 1A
Description: Failure to equip 4 open-ended lines, valves, or flanges with a cap, blind flange, plug, or second valve.

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: PA 1105 SC 2E
OP O-01982 STC 1A
OP O-01982 STC 7A
Description: Failure to equip a flange with a blind flange.

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.110
30 TAC Chapter 113, SubChapter C 113.130
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.100(b)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(d)

Rqmt Prov:	PA 1105 SC 2I OP O-01982 STC 1A OP O-01982 STC 7A		
Description:	Failure to repair a leaking component (connector) within 15 days of discovering the leak.		
Date	08/28/2006 (509675)		
Self Report?	NO	Classification	Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4)		
Rqmt Prov:	OP O-01983 STC 3A.iv.1		
Description:	Failure to conduct quarterly opacity observations on 18 stationary combustion source vents.		
Self Report?	NO	Classification	Minor
Citation:	30 TAC Chapter 106, SubChapter K 106.261(a)(7)(A) 30 TAC Chapter 106, SubChapter K 106.262(3) 30 TAC Chapter 122, SubChapter B 122.143(4)		
Rqmt Prov:	OP O-01983 STC 6A		
Description:	Failure to submit a PBR notification within 10 days of the modification.		
Self Report?	NO	Classification	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4)		
Rqmt Prov:	PA 7695 SC 10 OP O-01983 STC 6A		
Description:	Failure to conduct quarterly sampling for VOCs from the pellets on C-Line from November 1, 2004 through September 30, 2005.		
Date	08/30/2006 (510444)		
Self Report?	NO	Classification	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(1) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT DDD 60.562-2(a) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)		
Rqmt Prov:	OP O-01967 GT&C		
Description:	Failure to equip 34 open-ended lines and valves with a cap, blind flange, plug, or second valve.		
Self Report?	NO	Classification	Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 30 TAC Chapter 122, SubChapter B 122.145(2)(C) 30 TAC Chapter 122, SubChapter B 122.146(2)		
Rqmt Prov:	OP O-01967 GT&C		
Description:	Failure to submit an annual compliance certification and deviation report within 30 days after the end of the reporting period.		
Date	08/30/2006 (509748)		
Self Report?	NO	Classification	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(2) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)		
Rqmt Prov:	OP O-01436 STC 1A		
Description:	Failure to equip 1 open-ended line with a cap, blind flange, plug, or second valve.		
Self Report?	NO	Classification	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4)		
Rqmt Prov:	PA 21832 SC 12E OP O-01436 STC 10A		
Description:	Failure to equip 1 open-ended line with a cap, blind flange, plug, or second valve.		
Self Report?	NO	Classification	Moderate
Citation:	30 TAC Chapter 113, SubChapter C 113.560 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1033(b)(1) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1103(e)(3)		
Rqmt Prov:	OP O-01436 STC 1E		
Description:	Failure to equip 2 open-ended lines, valves, or flanges with a cap, blind flange, plug, or second valve.		
Self Report?	NO	Classification	Moderate
Citation:	30 TAC Chapter 113, SubChapter C 113.110 30 TAC Chapter 113, SubChapter C 113.130 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.100(b) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)		
Rqmt Prov:	OP O-01436 STC 1A		

Description:	Failure to equip 1 open-ended line, with a cap, blind flange, plug, or second valve.		
Date	08/31/2006	(510674)	
Self Report?	NO	Classification	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(1) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)		
Rqmt Prov:	PA 48591 SC 5E OP O-01968 STC 1A OP O-01968 STC 5A		
Description:	Failure to equip 15 open-ended lines and valves with a cap, blind flange, plug, or second valve.		
Date	08/31/2006	(510752)	
Self Report?	NO	Classification	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(3) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4)		
Rqmt Prov:	PA 8522/PSDTX322M3 SC 4 OP O-01969 STC 4		
Description:	Failure to maintain the time weighted average vacuum pressure below 105 mm Hg.		
Self Report?	NO	Classification	Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 30 TAC Chapter 122, SubChapter B 122.145(2)(C) 30 TAC Chapter 122, SubChapter B 122.146(2)		
Rqmt Prov:	OP O-01969 General Term and Condition		
Description:	Failure to submit an annual compliance certification and deviation report within 30 days after the end of the reporting period.		
Date	08/31/2006	(510445)	
Self Report?	NO	Classification	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(1) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT DDD 60.562-2(a) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)		
Rqmt Prov:	OP O-01967 STC 1A		
Description:	Failure to equip 8 open-ended lines and valves with a cap, blind flange, plug, or second valve.		
Date	09/28/2006	(514010)	
Self Report?	NO	Classification	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(2) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)		
Rqmt Prov:	PA 48655 SC 4E OP O-01972 STC 1A OP O-01972 STC 8A		
Description:	Failure to equip 2 open-ended lines and valves with a cap, blind flange, plug, or second valve.		
Self Report?	NO	Classification	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4)		
Rqmt Prov:	PA 49655 SC 4I		
Description:	OP O-01972 STC 8A Failure to repair two leaking components within 15 days of discovering the leaks.		
Self Report?	NO	Classification	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(2) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-8(c)		
Rqmt Prov:	PA 48655 SC 4I OP O-01972 STC 1A OP O-01972 STC 8A		
Description:	Failure to repair a leaking connector within 15 days of discovering the leaking connector.		
Date	09/29/2006	(514234)	
Self Report?	NO	Classification	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(2) 30 TAC Chapter 122, SubChapter B 122.143(4)		

Rqmt Prov:	40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a) OP O-01973 STC 1A		
Description:	Failure to equip 7 open-ended lines and valves with a cap, blind flange, plug, or second valve.		
Self Report?	NO	Classification	Moderate
Citation:	30 TAC Chapter 113, SubChapter C 113.560 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1033(b)(1) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1103(e)(3)		
Rqmt Prov:	OP O-01973 STC 1F		
Description:	Failure to equip 113 open-ended lines and valves with a cap, blind flange, plug, or second valve.		
Self Report?	NO	Classification	Moderate
Citation:	30 TAC Chapter 113, SubChapter C 113.560 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.982(b) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.999(a)(1)(iv) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1103(e)(3)		
Rqmt Prov:	OP O-01973 STC 1F		
Description:	Failure to submit prior flare test reports 90 days prior to the compliance date of January 6, 2006.		
Date	11/01/2006 (517576)		
Self Report?	NO	Classification	Moderate
Citation:	30 TAC Chapter 113, SubChapter C 113.130 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)		
Rqmt Prov:	PA 48626 SC 10E OP O-01971		
Description:	Failure to equip one open-ended line with a blind flange.		
Self Report?	NO	Classification	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4)		
Rqmt Prov:	PA 48626 SC 10E OP O-01971 STC 8		
Description:	Failure to equip one open-ended line with a blind flange.		
Self Report?	NO	Classification	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4)		
Rqmt Prov:	PA 19230 SC 2E OP O-01971 STC 8		
Description:	Failure to equip four open-ended line with a cap, blind flange, or plug.		
Date	12/15/2006 (531486)		
Self Report?	NO	Classification	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(1) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)		
Rqmt Prov:	PA 21832 SC 12E PA 27941 SC 6E OP O-01977 STC 1A OP O-01977 STC 9A		
Description:	Failure to equip 9 open-ended lines and valves with a cap, blind flange, plug, or second valve.		
Date	12/22/2006 (534037)		
Self Report?	NO	Classification	Moderate
Citation:	30 TAC Chapter 113, SubChapter C 113.110 30 TAC Chapter 113, SubChapter C 113.130 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.100(b) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)		
Rqmt Prov:	OP O-01982 STC 1A		
Description:	Failure to equip 2 double valves with a cap, blind flange, plug, or second valve.		
Self Report?	NO	Classification	Moderate
Citation:	30 TAC Chapter 113, SubChapter C 113.110 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.100(b) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.104(b)(4)		

Rqmt Prov:	OP O-01982 STC 1A		
Description:	Failure to sample at the entrance and exit of each heat exchange system to detect leaks on a quarterly basis.		
Self Report?	NO	Classification	Moderate
Citation:	30 TAC Chapter 113, SubChapter C 113.100[G] 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)		
Rqmt Prov:	PA 1105 SC 8 OP O-01982 STC 1A OP O-01982 STC 7A		
Description:	Failure to maintain a net heating value of 200 Btu/scf or greater for the gases being combusted in the flare operated by Oxo Aldehydes (OX027FL1).		
Date	02/23/2007 (540712)		
Self Report?	NO	Classification	Minor
Citation:	30 TAC Chapter 101, SubChapter A 101.20(2) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)		
Rqmt Prov:	OP O-01821 STC 1A		
Description:	Failure to equip 2 open-ended lines, valves, or flanges with a cap, blind flange, plug, or second valve.		
Self Report?	NO	Classification	Moderate
Citation:	30 TAC Chapter 113, SubChapter C 113.620 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1209(j)(3)(iii)		
Rqmt Prov:	OP O-01981 STC 1A		
Description:	Failure to maintain the hazardous waste feed rate to the Rkl (5390 lb/hr limit) and SCC (1895 lb/hr limit) below the required limit (hourly rolling average).		
Self Report?	NO	Classification	Moderate
Citation:	30 TAC Chapter 116, SubChapter F 116.615(2) 30 TAC Chapter 122, SubChapter B 122.143(4)		
Rqmt Prov:	PA 43891 Rep OP O-01981 STC 12A		
Description:	Failure to maintain the CO concentration below the 350 ppm limit (15 minute average).		
Self Report?	NO	Classification	Moderate
Citation:	30 TAC Chapter 113, SubChapter C 113.620 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1203(a)(5)(i)		
Rqmt Prov:	OP O-01981 STC 1A		
Description:	Failure to maintain the CO concentration below the 100 ppm HRA.		
Self Report?	NO	Classification	Minor
Citation:	30 TAC Chapter 101, SubChapter A 101.20(2) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.356(f)(1)		
Rqmt Prov:	OP O-01981 STC 1A		
Description:	Failure to maintain a signed and dated certification documenting the performance level of the closed-vent system and control device.		
Self Report?	NO	Classification	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(2) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.343(a)(1)(i)(A)		
Rqmt Prov:	OP O-01981 STC 1A		
Description:	Failure to conduct annual monitoring on openings on six tanks (TK-27, TK-28, TK-29, TK-2A, TK-3A, and TK-4A) subject to 40 CFR 61, Subpart FF.		
Date	03/09/2007 (542701)		
Self Report?	NO	Classification	Minor
Citation:	30 TAC Chapter 113, SubChapter C 113.560 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1033(b)(1)		
Rqmt Prov:	40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1103(e)(3) OP O-01979 STC 1D		
Description:	Failure to equip 14 open-ended lines, valves, or flanges with a cap, blind flange, plug, or second valve.		
Self Report?	NO	Classification	Minor
Citation:	30 TAC Chapter 113, SubChapter C 113.560 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1024(a)		

Rqmt Prov: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1103(e)(3)
OP O-01979 STC 1D
Description: Failure to re-monitor a leaking valve within 15 days of discovering the leak after the valve had been repaired within the 15 days.

Self Report? NO Classification Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: PA 48590 SC 11I
OP O-01979 STC 10A

Description: Failure to repair a valve during a shutdown that had been placed on delay of repair.

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.560
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.999(a)(1)(iv)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1034(b)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1103(e)(3)

Rqmt Prov: OP O-01979 STC 1D

Description: Failure to submit prior flare test reports 90 days prior to the compliance date of January 8, 2006.

F. Environmental audits.

N/A

G. Type of environmental management systems (EMSs).

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
EASTMAN CHEMICAL COMPANY
RN100219815**

**§ BEFORE THE
§
§ TEXAS COMMISSION ON
§
§ ENVIRONMENTAL QUALITY**

AGREED ORDER DOCKET NO. 2007-0699-AIR-E

I. JURISDICTION AND STIPULATIONS

At its _____ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Eastman Chemical Company ("Eastman") under the authority of TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and Eastman appear before the Commission and together stipulate that:

1. Eastman owns and operates a chemical manufacturing plant at 300 Kodak Boulevard in Longview, Harrison County, Texas (the "Plant").
2. The Plant consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
3. The Commission and Eastman agree that the Commission has jurisdiction to enter this Agreed Order, and that Eastman is subject to the Commission's jurisdiction.
4. Eastman received notice of the violations alleged in Section II ("Allegations") on or about April 18, 2007.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by Eastman of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
6. An administrative penalty in the amount of Thirty-One Thousand Nine Hundred Sixty-Four Dollars (\$31,964) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). Eastman has paid Twenty-Five Thousand Five Hundred Seventy-Two Dollars (\$25,572) of the administrative penalty and Six Thousand Three Hundred Ninety-Two Dollars (\$6,392) is deferred contingent upon Eastman's timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the

terms of this Agreed Order. If Eastman fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require Eastman to pay all or part of the deferred penalty.

7. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
8. The Executive Director of the TCEQ and Eastman have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
9. The Executive Director recognizes that Eastman has implemented the following corrective measures at the Plant:
 - a. On May 15, 2006, conducted sampling which documented that the vacuum system condenser outlet (EPN 025E108) was compliant with the permitted allowable Volatile Organic Compound ("VOC") emission rate. Additionally, Eastman documented in a letter dated April 30, 2007, that a process had been instituted to require re-sampling and investigation of process operating conditions if future samples indicate rates above the permitted limit;
 - b. On February 6, 2006, capped the two open-ended lines that were discovered the same day. On April 30, 2007, Eastman submitted documentation that enhanced operations and maintenance procedures were in place for open ended lines;
 - c. On April 30, 2007, submitted documentation that a process information tag has been set up in the data historian to ensure observation of the heater stack for visible emissions during daily operator routes; and
 - d. Reported the deviation for failure to conduct quarterly observations between November 1, 2004 through October 31, 2005 in the deviation report immediately subsequent to discovery of the deviation, which was received by the TCEQ on September 1, 2006.
10. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that Eastman has not complied with one or more of the terms or conditions in this Agreed Order.
11. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
12. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

As owner and operator of the Plant, Eastman is alleged to have:

1. Failed to comply with the VOC maximum allowable emission rate of 0.22 pounds per hour ("lbs/hr") for the vacuum system condenser outlet Emission Point Number ("EPN") 025E108, in violation of 30 TEX. ADMIN. CODE §§ 116.115(b)(2)(G) and (c), 122.143(4), Federal Operating Permit ("FOP") No. O-01978, Special Terms and Conditions 6A, Air Permit No. 18104, Special Condition 1, and TEXAS HEALTH & SAFETY CODE § 382.085(b), as documented during a record review conducted on April 10, 2007. Specifically, samples taken on December 1, 2005 and February 28, 2006 indicated an hourly VOC rate of 0.91 lbs/hr and 0.23 lbs/hr, respectively.
2. Failed to equip 2 open-ended lines and valves with a cap, blind flange, plug, or second valve, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c), 122.143(4), FOP No. O-01978, Special Terms and Conditions 6A, Air Permit No. 20567, Special Condition 6E and TEXAS HEALTH & SAFETY CODE § 382.085(b), as documented during a record review conducted on April 10, 2007. Specifically, on February 6, 2006, two plugs were found missing and were replaced.
3. Failed to perform quarterly visible emissions observations on a natural gas-fired heater (EPN 028H1) from November 1, 2004 through June 30, 2006, in violation of 30 TEX. ADMIN. CODE § 122.143(4), FOP No. O-01978, Special Terms and Conditions 3A(iv)(1), and TEXAS HEALTH & SAFETY CODE § 382.085(b) as documented during a record review conducted on April 10, 2007. Specifically, observations for visible emissions were not performed on EPN 028H1 during the fourth quarter in 2004, all four quarters in 2005 and the first and second quarters in 2006.
4. Failed to report deviations on the semi-annual deviation report for the period ending October 31, 2005, in violation of 30 TEX. ADMIN. CODE §§ 122.143(4), 122.145(2)(A), FOP No. O-01978, General Condition, and TEXAS HEALTH & SAFETY CODE § 382.085(b) as documented during a record review conducted on April 10, 2007. Specifically, Eastman failed to report the quarterly observations deviations that were not conducted between November 1, 2004 through October 31, 2005 in a deviation report submitted for that semi-annual period.

III. DENIALS

Eastman generally denies each allegation in Section II ("Allegations").

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that Eastman pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and Eastman's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations, which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Eastman Chemical Company, Docket No. 2007-0699-AIR-E" to:

Financial Administration Division, Revenues Section
Attention: Cashier's Office, MC 214
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088

2. The provisions of this Agreed Order shall apply to and be binding upon Eastman. Eastman is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Plant operations referenced in this Agreed Order.

3. This Agreed Order, issued by the Commission, shall not be admissible against Eastman in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
4. This agreement may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreement may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.
5. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to Eastman, or three days after the date on which the Commission mails notice of the Order to Eastman, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission



For the Executive Director

9/16/07

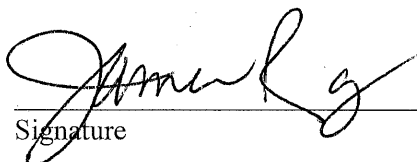
Date

I, the undersigned, have read and understand the attached Agreed Order. I am authorized to agree to the attached Agreed Order on behalf of the entity indicated below my signature, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I also understand that failure to comply with the Ordering Provisions, if any, in this order and/or failure to timely pay the penalty amount, may result in:

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions;
- Automatic referral to the Attorney General's Office of any future enforcement actions; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.



Signature

July 11, 2007

Date

JAMES RAY

Name (Printed or typed)
Authorized Representative of
Eastman Chemical Company

Vice Pres. & Gen. Mgr.

Title

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenues Section at the address in Section IV, Paragraph 1 of this Agreed Order.

